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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

TRUSTEES OF THE BRICKLAYERS &
ALLIED CRAFTWORKERS LOCAL 13
DEFINED CONTRIBUTION PENSION TRUST
FOR SOUTHERN NEVADA, et al.,

Plaintiffs,

vs.

GRANITE WORKS, INC., et al.,

Defendants.

Case No. 2:10-cv-00767-HDM-PAL

ORDER

(Mtn to Withdraw - Dkt. #14)

This matter is before the court on the Motion to Withdraw as Counsel For Defendants (Dkt. #14) filed October 21, 2010. Hutchison & Steffen seek to withdraw as counsel of record for Defendant Granite Works, Inc. and Jon Canja (“Defendants”). The Motion represents that Defendants are unable to pay legal fees and costs. Hutchison & Steffan have also recently learned of a potential conflict in continued representation of Defendants. Local Rule IA 10-6 provides that “no withdrawal . . . shall be approved if delay of discovery, the trial or any hearing in the case would result.” The Complaint (Dkt. #1) was filed on May 24, 2010. Discovery is currently ongoing.

Having reviewed and considered the matter, and for good cause shown,

IT IS ORDERED:

- 1. The Motion to Withdraw as Counsel of Record (Dkt. #14) is GRANTED.
- 2. Defendant Jon Canja shall have until **November 23, 2010**, in which to retain new counsel who shall file a notice of appearance in accordance with the Local Rules of Practice or to file a statement that he will be proceeding *pro se*.


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3. Because a corporation cannot appear except through counsel, *Rowland v. California Men's Colony*, 506 U.S. 194, 201-02 (1993); *U.S. v. High Country Broadcasting Co., Inc.*, 3 F.3d 1244, 1245 (9th Cir. 1993), Defendant Granite Works, Inc. shall have until **November 23, 2010**, in which to retain new counsel who shall file a notice of appearance in accordance with the Local Rules of Practice.
4. Failure to comply with this order may result in a recommendation to the District Judge for sanctions, including case-dispositive sanctions.
5. The Clerk of Court shall serve a copy of this Order on Defendants at:

Granite Works, Inc.
John Canja
11925 Love Orchid Lane
Las Vegas, NV 89138

Dated this 22nd day of October, 2010.


PEGGY A. LEEN
UNITED STATES MAGISTRATE JUDGE